

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ADORA GARCIA.

Civil No. C04-2098-JPD

Plaintiff,

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

ORDER

Defendant.

Based on the stipulation of the parties, it is hereby ORDERED that the Commissioner's

final decision be reversed and remanded for further proceedings pursuant to sentence four of 42

U.S.C. § 405(g). Upon remand to the Commissioner of Social Security, the Appeals Council will

remand this case to a different administrative law judge to (1) further evaluate Plaintiff's

diagnoses of fibromyalgia and chronic fatigue syndrome and resulting functional limitations;

(2) fully evaluate and explain the weight given the opinions and reports of Paul Brown, M.L.

¹¹ 28 G.E.B. 33, 404, 1527, 416, 827. (C) followed by a mark in the right margin.

1 to State agency medical consultants' opinions; (4) obtain updated medical records; (5)
2 afford Plaintiff the opportunity to testify at another hearing; and (6) obtain medical expert
3 testimony, if warranted. Plaintiff may present new arguments and further medical evidence, if
4 such evidence becomes available.
5

6 This case is reversed and remanded on the above grounds pursuant to sentence four of 42
7 U.S.C. § 405(g). Upon proper presentation, this Court will consider Plaintiff's application for
8 costs and attorney's fees under 28 U.S.C. § 2412(d).
9

10 DATED this 2nd day of May 2005.
11

12 /s/ JAMES P. DONOHUE
13 UNITED STATES MAGISTRATE JUDGE
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15 Presented by:
16

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